

FILED

DISTRICT COURT OF GUAM

SEP 15 2006

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 06-00032
)	
Plaintiff,)	
)	
vs.)	
)	
ROBERT DUENAS QUIDACHAY,)	ORDER
)	
Defendant.)	


On September 8, 2006, the Government filed a motion requesting that the trial for the above-named defendant be joined with the trial of the defendants in United States v. Judith A.F. Mateo and Jacob R.F. Mateo, Criminal Case No. 06-00033. See Motion, Docket No. 12. Upon review of the docket herein, there is no indication as to whether the Government served a copy of said motion upon the two defendants in Criminal Case No. 06-00033. Additionally, the Government has not filed a similar motion in Criminal Case No. 06-00033 seeking to join the trial therein with the trial in this case. At a minimum, the Government should have notified the affected defendants about its request to join the trials of all three defendants in order to afford each defendant an opportunity to be heard on the matter.

Accordingly, the Court directs the Government to file a similar motion in Criminal Case No. 06-00033 if it wishes to join the trial therein with the trial of the defendant in this case. Said motion shall be filed no later than Wednesday, September 20, 2006. Additionally, the

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1 September 27, 2006, hearing on the motion for joinder filed in this cases is hereby vacated.
2 Instead, the Court will hold a joint hearing on the motion for joinder filed in this case and the
3 soon-to-be-filed motion for joinder in Criminal Case No. 06-00033 on October 17, 2006,
4 at 1:30 p.m. The defendants shall file a response to the motion no later than October 4, 2006.
5 The Government may file a reply brief no later than October 11, 2006. Furthermore, upon
6 filing its motion in Criminal Case No. 06-00033, the Government is directed to serve a copy of
7 this Order setting forth the motion briefing schedule upon each of the counsel for the defendants
8 therein.

9 SO ORDERED this 15th day of September 2006.

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12 FRANCES M. TYDINGCO-GATEWOOD
13 Designated District Judge
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